FOR MYSORE STATE

Secta. II-37—100,000—6-5-48

Home (1948) Department.

Ms. SERIES. p. 16

G.O. No. 2486

Dated 30 - 6 - 48

[Despatch Abstract.]

Motor Vehicles - Central road traffic Board Non Official member. - Appointment - Notified.

(1)

GOVERNMENT OF MADRAS.

ABSTRACT.

MOTOR VEHICLES - Central Road Traffic Board - Non official member - Appointment - Notified.

HOME DEPARTMENT

G.O.Ms. No. ~~2210~~ 2486 dated 30-6-1948.

Read the following:-

G.O.Ms. No. 2210 Home, dated 3.6.47.
From the Secretary, Central Road Traffic Board R.No. 11439/48-d/7-6-48.

O R D E R:

The following nofification will be published in the Fort St. George Gazette.

NOTIFICATION.

In exercise of the powers conferred by section 44(2) of the Motor Vehicles Act 1939 (Madras Act IV of 1939) His Excellency the Governor of Madras hereby appoints Sri K.A. NACHIAPPA GOUNDER, M.L.A. as a non-officials member of the provincial Transport Authority constituted for the province of Madras Vice Sri V.C. PALANISWAMI GOUNDER, M.L.A. for a period of one year.

(Sd) .....

24.6.48.

To
The Chairman, Central Road Traffic Board.
The Secretary, Central Road Traffic Board.
The Superintendent of Government of Press for publication notification in the Fort St. George Gazette.
The non-officials member through the Chairman, Central Road Traffic Board.
Sri V.C. Palaniswami Gounder, M.L.A.,
Jatabad, 100 Road, Coimbatore.

/True Copy/

Superintendent

SP/20.5. Madras Record Office.

(2)

NOTE FILE.

Please see the letter from the Secretary, Central Road Traffic Board at page 1 c.f. He has recommended the re-appointment of Sri V.C. PALANISWAMI GOUNDER who was first appointed as a non - official member of the Central Road Traffic Board in G.O. No. 2210 Home, dated 3.6.47, for a further term of one year from 3.6.48.

2. Under section 44(2) of the Motor Vehicles Act no person who has any financial interest whether as proprietor, employee or otherwise in any transport under-taking should be appointed as a member of Provincial Transport Authority. In Paragraph 2 on page 1 c.f. it has been reported that sri PALANISWAMI Gounder owns a private carrier lorry which he uses for his own agricultural purposes as he is reported to own extensive lands in the Coimbatore District. The Board considers that the possession of this Private carrier lorry cannot be construed as amounting to having a financial interest in a transport undertaking within the meaning of section 44(2). This view seems to be correct as the vehicle is only a private carrier vehicles. According to the definition in section 2 (22), the vehicles is meant to be used solely for the carriage of goods which are his property or the carriage of which is necessary for the purposes of his business, not being a business of providing transport. As the vehicld is thus not meant for the business of providing transport i.e., for carrying goods for hire or reward, there seems no question of any transport undertaking being involved in its possession or use. In this view, its possession or use does not operate as a disqualification under section 44(2) of the Motor Vehicles Act. For orders therefore, whether the Board's recommendation may be accepted. If so the draft order submitted overleaf is for approval.

May be circulated to Hon'ble Minister (P.W.) for approval.

(Sd) .....

14.6.48.

Hon'ble Minister (P.W.) may see whether the Gounder will be re-nominated or a change made (Incidentally, there is no harm in making a change now and then.)

(Sd) .....

14.6.48.

Hon'ble Minister (P.W.) Sri K.A. Nachiappa Gounder may be nominated for this year.

(Sd) .....

19.6.48.

A draft order is submitted for approval.

It is presumed Hon'ble Minister has obtained his concerned ~~current~~ and that it is not necessary for this Department to ask him.

(XXXXX)

Not necessary to be mentioned. Is no time limit fixed?

Ref: Secretary's query on page 2 ante: "Is there no time limit fixed ?"

Submitted that the time limit is one year.

Under Motor Vehicle Rule 138, every non-official member of The Central Board shall hold office for a period of one year on and from the date on which his appointment is notified in the Fort St. George Gazette or until a latter date on which the appoinmtnt of his successor is notified.

The draft order submitted is for approval.

(P.T.O)

precedent

The draft followed the ~~procedure~~ at pages 21-22 c.f. in the G.O. at (E). The period may be specified in the note. I have mended the draft which may now issue.

(Sd)

29.6.48

(Issued as G.O. 2486 Home d/30.6.48.)

/True Copy/

Superintendent

SP/20.5. Madras Record Office.